

DIVISION OF BUILDING SAFETY
PLUMBING BUREAU

BOARD MEETING MINUTES
AUGUST 6, 2004

PRESENT

DIVISION OF BUILDING SAFETY EMPLOYEES

Dave Munroe – Division Administrator
Ted Hogander – Plumbing Bureau Chief
Marsi Woody – Financial Officer
Bob Rawlings – Program Supervisor
Renee Bryant – Plumbing Bureau Administrative Assistant
Carla Siebel – Recorder

LEGAL COUNSEL

Kay Manweiler – Deputy Attorney General

BOARD MEMBERS

Russ Firkins – Board Chairman
Ray Coon
Bob Livesay
Ben Schooley

GUESTS

Betty Howland
Ed Howland – Boise State University
Mike Kelly – Plumbers and Pipefitters Local Union #296
Jerry Peterson – Idaho Building Trades

Russell Firkins called the August 6, 2004 Board meeting to order at 9:00 a.m. at 1090 East Watertower Street in Meridian, Idaho.

MOTION

A Motion was made to accept the May 21, 2004 Plumbing Bureau Board Minutes. The Motion was seconded and carried by unanimous vote.

Russ Firkins stated that Milford Terrell was not present for the meeting. Kay Manweiler verified that Mr. Terrell would not be attending this meeting.

AGENDA ITEM – CIVIL PENALTIES

MOTION

A Motion was made to accept Draft Number One of the Civil Penalties drafts. The Motion was seconded. Kay Manweiler stated there is a typographical error that will be corrected. The error is in the first paragraph referring to the citation in Section 54-2606 (e). The correct citation is to 54-2606 3(e). Ms. Manweiler stated that, upon a successful Motion, she would make that correction before submitting the draft.

Russell Firkins referred to item number .02 and stated that in the HVAC version, the reference is made to certificates rather than licenses. Ms. Manweiler stated that she would make the change in the caption to certificate rather than license. She informed the Board that the word certificate is used in the text of .02. A suggestion was made that .03 should be changed also.

An amendment was presented for the Motion to have the draft as a temporary rule. The amendment was seconded. The Civil Penalties Draft Number One will be a temporary rule.

The Motion to accept Civil Penalties Draft Number One carried by unanimous vote.

AGENDA ITEM – FEE SCHEDULE FOR MULTIPURPOSE FIRE SPRINKLER/POTABLE WATER SUPPLY SYSTEMS

Ted Hogander stated that a new product introduced to the area could create a demand in the foreseeable future. The new product is a potable water system in a residential home that also acts as a fire sprinkler system.

Mr. Hogander stated that there are no fees targeting this type of installation because it is new.

Mr. Hogander feels the fee structure in place now at \$8.00 per fixture would be an excessive fee for each sprinkler head. He proposes a fee that is more in line with what the inspection cost is. A starting place would be what Boise City charges, which is a minimum of \$105.00 or \$4.20 per fire sprinkler head, whichever is greater. The Plumbing Board suggested a minimum of \$60.00 or \$4.00 per head, whichever is greater.

Russell Firkins suggested that the revenue could be tracked to see if a \$60.00 minimum fee or \$4.00 per head fee will be enough to cover inspection costs as time goes on.

Bob Livesay stated that fire protection contractors have found that insurance rates go up when a sprinkler system is installed so people are deciding not to install the fire sprinkler system.

Ben Schooley made an inquiry regarding water stagnation in the system. Ted Hogander explained that the system is factory designed and engineered so that there is flow-through. Mr. Hogander witnessed an installation so that he could see for himself how the system works. He stated that turning on any fixture in a house would move water through the system.

Ray Coon stated that in some areas the insurance rates go up with the installation of fire sprinklers because of the possible water damage.

Bob Rawlings clarified the design criteria by stating that the information is in NFPA 13 D.

Ed Howland inquired about the domestic sizing. The Board informed him that it would not make that much difference.

Russell Firkins asked for a clarification from Ted Hogander regarding the fee schedule in IDAPA 07. Title 02 Chapter 03. Mr. Firkins asked if there are any other requested changes to the fee schedule. Mr. Hogander stated that no other fees are being proposed for changes.

MOTION

A Motion was made to accept the addition of item number 19 to the fee schedule regarding the Multipurpose Residential Fire Sprinkler and Domestic Water Supply System fee of \$60.00 for a minimum and \$4.00 per head, whichever is greater. The Motion was seconded and carried by unanimous vote.

AGENDA ITEM – APPRENTICESHIP REQUIREMENTS CHANGE

Bob Rawlings referred to IDAPA 07.02.05.011 for apprentice registration. The change is presented to clarify that serving an apprenticeship means going from year one, to year two, to year three, and to year four. There have been instances where people have not followed the succession of required years. A minimum of 144 hours of classroom and/or instruction time per year is required. The reason for the “and/or” is because not everyone is inside a classroom, and the student could be in correspondence study.

Mr. Firkins asked Mr. Rawlings if this proposal had been reviewed by organized labor training programs. Mr. Rawlings stated that there was one telephone discussion regarding this. There was a clarification at that time where the minimums are four years and 144 hours, because the plumbers and pipefitters do a five-year program and approximately 253 hours a year. Mike Kelly of the

Plumbers and Pipefitters union reviewed the proposal and does not have a disagreement with it.

Mr. Howland stated that he would like to see the minimum requirement of 144 hours put in place, and Boise State University does offer 156-hour classes. Mr. Firkins asked what the procedure is for apprentices participating in correspondence courses. Mr. Howland stated that the apprentices are sent the lesson plans. The lesson plans are due on a certain date. If the lessons do not arrive in Mr. Howland's office on that date, the apprentices are penalized time per date that they are late. That is how the time is equitable between on-campus students and correspondence students.

Bob Rawlings referred to IDAPA 07.02.05.011 in the statement "(unless prior experience is granted by the plumbing bureau)", according to Mr. Rawlings, the statement means that an apprentice coming from out-of-state and has prior experience; may attain, with proof, the ability to start into the program at a different point rather than just year one. The Plumbing Bureau would notify the college the apprentice attends what year that apprentice could start.

Kay Manweiler suggested a re-write of IDAPA 07.02.05.011. It is as follows: Unless credit for prior experience has been granted by the plumbing bureau, an apprentice must be enrolled and active in an approved related training class for a total of four years completing the course in sequence; first year, second year, third year, fourth year with a minimum of 144 hours of class room and/or instruction time per school year.

Ben Schooley asked what type of proof must be presented by the apprentice. Bob Rawlings stated the requirements include completion certificates from programs they have attended or notarized affidavits. If the jurisdiction requires schooling or submitting hours like Washington and Oregon do, then that is what is expected of incoming out-of state apprentices and is accepted by the Idaho Plumbing Bureau.

Ms. Manweiler reminded the Board of the deadline for rule making by saying that if the Board wants the rule to be in place and effective by the time the legislature goes sine die, then it has to be sent for publication prior to August 25.

Ms. Manweiler discussed temporary rules by saying that there are limited circumstances regarding temporary rules, one of which is when an agency is trying to comply with a demand that is in a new statute, and one is in an emergency situation, and there are a few other circumstances.

The Board agreed to proceed with the change to the rule. Mr. Firkins stated that the Board could have confidence in Ms. Manweiler's ability and skills to accomplish what the Board wishes regarding the changes. Mr. Firkins suggested

Ms. Manweiler can e-mail the Board members with her changes so that they can review them.

MOTION

A Motion was made to accept the changes as noted regarding IDAPA 07.02.05.011 as presented by Bob Rawlings with the changes Ms. Manweiler will make. The Motion was seconded and carried by unanimous vote.

Russell Firkins presented a request from Milford Terrell in his absence. Mr. Terrell requested an agenda item for the September Board meeting to have the Plumbing Bureau staff, as well as Marsi Woody, review the results of a one-year, five percent reduction in all fees and report what impact the reduction would have on the budget as far as revenue is involved.

Also, Mr. Terrell suggested a review of the water and sewer fees. He believes when the present fee schedule was implemented July 11, 1989, the intention was that contractors would pay for sewer and water lines at a per fixture rate on the residential side. Mr. Terrell wants a study of the differential between charging for sewer and water lines at a per fixture rate and the present rate.

Kay Manweiler stated that other Board's have used some of their free fund balances to offset costs for apprentice books and materials. She also stated that Milford Terrell's intent was to have this suggestion presented to the Board for discussion to determine the savings or costs or if this is permissible with auditing procedures.

Russell Firkins suggested a discussion regarding the free fund balance would help the Board during the next legislative session.

Mr. Firkins requested an item be added to the September, 2004 agenda regarding four-inch drains or sewers outside buildings with reference to IDAPA 07. Title 02. Chapter 06 to eliminate confusion when outbuildings are involved.

Mr. Firkins presented Board meeting dates for 2005 to be discussed at the September Board meeting:

Friday January 21, 2005 in Meridian
Friday April 8, 2005 in Meridian
Friday June 3, 2005 in southern or eastern Idaho
Friday September 9, 2005 in north Idaho

Kay Manweiler asked if the HVAC meetings coincide with the Plumbing Bureau Board meetings. Russell Firkins stated that the HVAC Bureau has one more meeting scheduled for 2004 and no other meetings have been scheduled. He

informed Ms. Manweiler that the staff might want to separate HVAC and Plumbing meetings so that the meetings are not on back-to-back days.

Mr. Firkins stated that the next Plumbing Bureau Board meeting would be at 9:00 a.m. Pacific Daylight Time on Friday September 10 in Post Falls, Idaho at Templins.

Marsi Woody presented the 2004 and 2005 Plumbing Bureau financial reports.

Dave Munroe presented an update on the mechanical exams for inspectors. The books and materials have been purchased and the plumbing inspectors are studying for the mechanical exam at this time. There are two one-week classes in Meridian. The first class is October 4 to 8, and October 9 will be the test date. The next class will be December 10 to 17, and December 18 will be the test date. Mr. Munroe arranged a 15 percent discount on the classes; that amounted to a \$3,500.00 saving, and he also arranged to have the exam fee cut from \$200.00 to \$100.00 for each inspector.

Mr. Munroe stated that three additional plumbing/HVAC inspectors would be hired. There are new emblems to be placed on the inspectors' trucks to reflect the plumbing/HVAC inspections the inspectors will be performing.

Ted Hogander presented the process for individuals to acquire an HVAC license. There are three categories defined for licensing – HVAC contractor, HVAC journeyman, and HVAC specialty contractor. The specialties are not yet defined in law. The HVAC Bureau has a mandate to begin issuing licenses on July 1, 2004. About 3000 packets and forms have been sent out to notify the industry, and about 1500 applications have been returned. The Bureau is still waiting for the computer program to be completed so that licenses can be issued and mailed.

Mr. Hogander informed the Board that, under the Grandfather provisions, anyone could be a contractor with a designated or supervising journeyman. If a person wants to work in the trade, a journeyman license is required.

Jerry Peterson asked if a person wants a specialty contractor license, could that person obtain one. Mr. Hogander stated that if a person asks for a specialty license, such as a ductwork license, that specialty license would be issued.

Mr. Firkins informed the Board that after July 1, 2004 any city or county that currently require certificates or licenses would not be able to. By law, they must recognize the state license. For example, licensees in Coeur d'Alene, or Latah county, or Idaho Falls, or Bonneville county, will have to have a state license issued to them in order to receive permits in those jurisdictions. Mr. Firkins stated that this would affect a lot of plumbing journeymen and contractors as

well. Mr. Firkins requested Mr. Hogander to publicize this new development so that people will be informed before January 1, 2005.

Ben Schooley made an inquiry regarding an HVAC apprenticeship program. Mr. Hogander stated that there is no apprenticeship program. On-the-job training is the approved schooling at this time. ~~Proof of three years on-the-job training is required for a person to be acknowledged as an HVAC apprentice.~~ **(This sentence is struck per board members instruction of 9/10/04 board meeting.)**

Mr. Hogander stated that the HVAC Board intends to create an HVAC apprenticeship program.

Mr. Munroe informed Mr. Schooley that the HVAC Board meeting is on September 9, a day before the Plumbing Bureau Board meeting so that Mr. Schooley could attend that Board meeting too, and take part in the apprenticeship discussion if he would like.

MOTION

A Motion was made to adjourn the Plumbing Bureau Board meeting. The Motion was seconded and carried by unanimous vote.

The Plumbing Bureau Board meeting adjourned at 9:55 a.m.

DAVE MUNROE, SECRETARY